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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,192	01/04/2005	Roland Blasig	NL 020606	7695
24737 7590 06/26/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER WILLIAMS, JOSEPH L	
			ART UNIT 2879	PAPER NUMBER
			MAIL DATE 06/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

5H

# Office Action Summary

Application No.

10/520,192

Applicant(s)

BLASIG ET AL.

Examiner

Joseph L. Williams

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-11 is/are rejected.
- 7) ☐ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on April 3, 2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5, 6, 7, 8, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kosokabe et al. (US 2002/0001881 A1).

Regarding claims 1 and 11, Kosokabe ('881) teaches in paragraphs 6-29 a glass component comprised of the following constituents: component being substantially free of PbO expressed as a percentage by weight, the following constituents: 55-70 (read 40-70) weight% SiO<sub>2</sub>, and <0.1 (read 0-15) weight% Al<sub>2</sub>O<sub>3</sub>.

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Kosokabe ('881) does not disclose the specific amounts of: 0.5-4 weight%  $\text{Li}_2\text{O}$ , 0.5-3 weight%  $\text{Na}_2\text{O}$ , 10-15 weight%  $\text{K}_2\text{O}$ , 0-3 weight%  $\text{MgO}$ , 0-4 weight%  $\text{CaO}$ , 0.5-5 weight%  $\text{SrO}$ , 7-10 weight%  $\text{BaO}$ .

However, Kosokabe ('881) does teach the use of  $\text{Li}_2\text{O}$ ,  $\text{Na}_2\text{O}$ ,  $\text{K}_2\text{O}$ ,  $\text{MgO}$ ,  $\text{CaO}$ ,  $\text{SrO}$ , and  $\text{BaO}$  in combined amounts, see paragraphs 14 and 15, that fall within the claimed individual ranges of claim 1 when added up for the purpose of having an encapsulating glass that seals at a lower temperature. Therefore, the optimum amount of each substance could be ascertained by one of ordinary skill in the art without undo experimentation.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the glass combination of Kosokabe for the purpose of having an encapsulating glass that seals at a lower temperature. The optimum amount of each substance could be ascertained by one of ordinary skill in the art without undo experimentation.

Please note that the limitation of "an electric lamp" does not breath life into the claim and thus is not afforded patentable weight.

Regarding claim 2, Kosokabe ('881) teaches in paragraphs 6-29 a glass component comprised of the following constituents: component being substantially free of  $\text{PbO}$  expressed as a percentage by weight, the following constituents: 65-70 (read 40-70) weight%  $\text{SiO}_2$ , and <0.1 (read 0-15) weight%  $\text{Al}_2\text{O}_3$ .

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Kosokabe ('881) does not disclose the specific amounts of: 0.5-4 weight%  $\text{Li}_2\text{O}$ , 0.5-3 weight%  $\text{Na}_2\text{O}$ , 10-15 weight%  $\text{K}_2\text{O}$ , 0-3 weight%  $\text{MgO}$ , 0-4 weight%  $\text{CaO}$ , 0.5-5 weight%  $\text{SrO}$ , 7-10 weight%  $\text{BaO}$ .

However, Kosokabe ('881) does teach the use of  $\text{Li}_2\text{O}$ ,  $\text{Na}_2\text{O}$ ,  $\text{K}_2\text{O}$ ,  $\text{MgO}$ ,  $\text{CaO}$ ,  $\text{SrO}$ , and  $\text{BaO}$  in combined amounts, see paragraphs 14 and 15, that fall within the claimed individual ranges of claim 2 when added up for the purpose of having an encapsulating glass that seals at a lower temperature. Therefore, the optimum amount of each substance could be ascertained by one of ordinary skill in the art without undo experimentation.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the glass combination of Kosokabe for the purpose of having an encapsulating glass that seals at a lower temperature. The optimum amount of each substance could be ascertained by one of ordinary skill in the art without undo experimentation.

Regarding claim 4, Kosokabe ('881) teaches the use of  $\text{Fe}_2\text{O}_3$ , but does not disclose the claimed range (see paragraph 42). However, the optimum amount of each substance could be ascertained by one of ordinary skill in the art without undo experimentation.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the glass combination of Kosokabe for the purpose of having an encapsulating glass that seals at a lower temperature. The optimum amount

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of each substance could be ascertained by one of ordinary skill in the art without undue experimentation.

Regarding claim 5, Kosokabe ('881) teaches that the sum of the concentrations of  $\text{Li}_2\text{O}$ ,  $\text{Na}_2\text{O}$ ,  $\text{K}_2\text{O}$  is in the range from 14-16 weight % (see paragraph 16).

Regarding claim 6, Kosokabe ('881) teaches that the sum of the concentrations of  $\text{SrO}$  and  $\text{BaO}$  is in the range of 10- to 12.5 weight %.

Please note that regarding claim 7, the limitation of "A stem for an electric lamp" does not breathe life into the claim and thus is not afforded patentable weight since the claims are directed towards the glass composition.

Regarding claim 8, Kosokabe ('881) suggest that the glass having the disclosed composition can used as a lamp envelope (read light emitting diode (lamp)).

Regarding claim 9, Kosokabe ('881) teaches that the lamp envelope is tubular (see paragraph 49).

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kosokabe (US 2002/0001881 A1), of record, in view of Filmer et al. (US 5,625,582), of record.

Regarding claim 10, Kosokabe ('881) teaches all of the claimed limitations except for a mercury vapor discharge lamp comprising a lamp envelope, the lamp envelope enclosing, in a gastight manner, a discharge space provided with a filling of mercury and a rare gas, the lamp envelope comprising discharge means for maintaining a discharge in the discharge space.

Further regarding claim 10, Filmer ('582) teaches a mercury vapor discharge lamp comprising a lamp envelope, the lamp envelope enclosing, in a gastight manner, a discharge space provided with a filling of mercury and a rare gas, the lamp envelope comprising discharge means for maintaining a discharge in the discharge space for the purpose of having a lamp envelope that is durable.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the lamp of Filmer with the glass composition of Kosokabe for the purpose of having a lamp envelope that is durable.

***Allowable Subject Matter***

3. Claim 12 is allowed.

The following is an examiner's statement of reasons for allowance: Regarding independent claim 12, the prior art of record neither shows nor suggest an electric lamp glass component being substantially free of lead comprised of:

55-70 weight%  $\text{SiO}_2$ ,

<0.1 weight%  $\text{Al}_2\text{O}_3$ ,

0.5-4 weight%  $\text{Li}_2\text{O}$ ,

0.5-3 weight%  $\text{Na}_2\text{O}$

10-15 weight%  $\text{K}_2\text{O}$ ,

0-3 weight%  $\text{MgO}$ ,

0-4 weight%  $\text{CaO}$ ,

0.5-5 weight%  $\text{SrO}$ ,

7-10 weight%  $\text{BaO}$ ,

**0.01-0.2 weight%  $\text{SO}_3$**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 4, the prior art of record neither shows nor suggest an electric lamp glass component being substantially free of lead comprised of:

55-70 weight%  $\text{SiO}_2$ ,

<0.1 weight%  $\text{Al}_2\text{O}_3$ ,

0.5-4 weight%  $\text{Li}_2\text{O}$ ,

0.5-3 weight%  $\text{Na}_2\text{O}$



10-15 weight%  $K_2O$ ,

0-3 weight%  $MgO$ ,

0-4 weight%  $CaO$ ,

0.5-5 weight%  $SrO$ ,

7-10 weight%  $BaO$ ,

**0.01-0.2 weight%  $SO_3$**

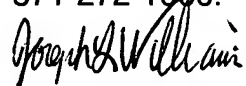
### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Joseph L. Williams  
Primary Examiner  
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